

MINUTES
SENATE STATE AFFAIRS COMMITTEE

DATE: Wednesday, February 22, 2017

TIME: 8:00 A.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Siddoway, Vice Chairman Hagedorn, Senators Davis, Hill, Winder, Lodge, Lakey, Stennett, and Buckner-Webb

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Siddoway** convened the meeting of the Senate State Affairs Committee (Committee) at 8:02 a.m.

INTRODUCTION OF PAGE: Chairman Siddoway welcomed Aaron Swanson, the Committee's new Page. **Aaron** briefly told of his interests and aspirations for the future.

VOTE ON GUBERNATORIAL APPOINTMENT: **Vote on the Gubernatorial appointment of Amber Larna to the Bingo-Raffle Advisory Board'**
Senator Hagedorn moved to send the Gubernatorial Appointment of Amber Christine Larna to the Bingo-Raffle Advisory Board to the floor with the recommendation that she be confirmed by the Senate. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

VOTE ON GUBERNATORIAL APPOINTMENT: **Vote on the Gubernatorial appointment of Judy Bicknell Taylor as Administrator of the Agency on Aging.**
Senator Lodge moved to send the Gubernatorial Appointment of Judy Bicknell Taylor of Boise, Idaho as Administrator of the Agency on Aging to the floor with the recommendation that she be confirmed by the Senate. **Senator Hagedorn** seconded the motion. The motion carried by **voice vote**.

RS 25333 **Unanimous Consent Request from the Transportation Committee Relating To Motor Vehicles related to emissions and certain modifications of diesel-powered vehicles** to discourage the practice of "Coal Rolling" on Idaho roadways.
Senator Stennett presented **RS 25333**, noting the proposed bill is co-sponsored by Senator Brackett. The proposed legislation is related to emissions and certain modifications of diesel-powered vehicles to discourage the practice of "coal rolling" on Idaho roadways. **Senator Stennett** reviewed the growing practice of modifying a diesel engine to increase the amount of fuel entering into the engine, and which may include the intentional removal of a particulate filter, resulting in an under-aspirated, sooty exhaust that visibly pollutes the air and causes hazardous lack of visibility (see attachment 1). According to the Idaho State Police, current laws do not contain sufficiently robust enforcement penalties that would prevent the practice. For this reason, Chapter 6, Title 49, Idaho Code, has been modified with language that pertains to this practice specifically and enforces two different penalties for moving and non-moving violations.

MOTION: **Senator Lodge** moved to send **RS 25333** to print. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

RS 25334

Unanimous Consent Request from the Resources and Environment Committee Relating to Stockwater Rights to limit stockwater rights for federal agencies.

Senator Mark Harris, District 32, presented **RS 25334**, which seeks to codify the findings of the Idaho Supreme Court in the case of Joyce Livestock Company v. United States of America, 144 Idaho 1, 156 P.3d 502 (2007). **Senator Harris** reviewed the history of the case in question and described the changes made to define more clearly that agencies of the federal government cannot hold stock water rights unless they put those rights to beneficial use by watering livestock owned by the agency. **Senator Harris** stated the proposed legislation was reviewed by several legislators, water attorneys, the Idaho Cattle Association, the Idaho Farm Bureau, and the Idaho Department of Water Resources.

Chairman Siddoway asked for details on how the fiscal impact would be affected if all of the stock grazers on federal lands filed for a water right, and whether or not a fee would be passed to the livestock owner. **Senator Harris** said there would be a \$25 fee per right. He further noted that Senator Brackett would be carrying the containing bill, which addresses the fee structure in detail.

MOTION:

Senator Hagedorn moved to send **RS 25334** to print. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

RS 25268

A Senate Concurrent Resolution to honor and congratulate Cecillia Violetta Lopez for her achievements in opera.

Senator Buckner-Webb reviewed Ms. Lopez's inspirational life growing up working the fields with her mother and siblings. Ms. Lopez discovered the power of music from her mother and worked diligently to cultivate her singing talent. She attended the University of Nevada, joined the Opera San Jose, and eventually became a member of the prestigious Metropolitan Opera, debuting at Carnegie-Hall in 2016. Ms. Lopez will perform this year with the Boise Philharmonic.

MOTION:

Senator Stennett moved to send **RS 25268** to print. **Senator Hill** seconded the motion. The motion carried by **voice vote**.

H 92

Relating to Wine to revise certain wine license requirements associated with retail beer licenses.

Roger Batt presented **H 92** on behalf of Idaho Grape Growers and Wine Producers. The legislation amends the definition of dessert wine to: 1.) remove the word "beverages" and insert the word "wines" and non-alcoholic beverages; 2.) remove language stating that dessert wine currently must be designated or labeled as "port," "sherry," or "Madeira," which denotes Spanish products; and 3.) change the alcohol content of dessert wines from current Idaho standards of 21 percent to the federal standards of 24 percent. **Mr. Batt** noted this change will enable Idaho to compete with adjacent states, all of which have adopted the 24 percent standard.

Other changes in the bill would strike language requiring licensed wineries to possess a retail beer license to sell wine on the winery's original licensed premises and provides an emergency clause to enable Idaho wineries wishing to do so to begin making wines for the marketplace sooner rather than having to wait until July 1 for the legislation to go into effect. The Idaho Beverage Control and Idaho State Police have expressed no problem with the legislation.

MOTION:

Senator Lodge moved to send **H 92** to the floor with a **do pass** recommendation. **Senator Buckner-Webb** seconded the motion. The motion carried by **voice vote**.

H 104

Relating to Dog Racing to provide an exception to the prohibitions against dog racing for certain exhibition-style live dog races.

Representative Clark Kauffman, District 25, reviewed the history of the ban against racing dogs in Idaho and the genesis of **H 104**, which would be limited to county fairs only. No pari-mutuel betting would occur, and the maximum track length would be no longer than 150 feet. **Rep. Kauffman** shared his impression of a typical show, which he described as both entertaining and educational. The dogs come mostly from shelters and are expertly trained to race in their own weight category.

Senator Winder asked if there had been opposition from the Humane Society or other animal prevention of cruelty associations. **Representative Kauffman** said that individuals who rescue greyhounds contacted him about the details to ensure the legislation was not an attempt to resurrect previously banned greyhound racing. He said their concerns were assuaged when they learned of the 150 ft. racetrack limitations.

Senator Davis thought the wording of the bill should be changed slightly to ensure the dogs would not run distances greater than the 150 foot track. **Senator Hagedorn** noted a spelling error in the SOP.

MOTION:

Senator Hagedorn moved to send **H 104** to the floor with a **do pass** recommendation. The motion died for lack of a second.

SECOND MOTION:

Senator Davis moved to send **H 104** to the 14th Order for possible amendment. **Senator Stennett** seconded the motion. **Senator Davis** will work with Representative Kauffman to clarify the language on the bill. **Senator Stennett** will correct the wording on the SOP. The motion carried by **voice vote**.

ADJOURNED:

There being no further business, **Chairman Siddoway** adjourned the meeting at 8:35 a.m.

Senator Siddoway
Chair

Twyla Melton, Secretary

Jeanne' Clayton, Assistant
Secretary